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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.     | CONFIRMATION NO.       |
|--|-------------|----------------------|-------------------------|------------------------|
| 09/588,109   | 05/31/2000  | James C. Lungaro     | A-68938/MAK/LM          | 7799                   |
| 30636 7590 05/02/2007<br>FAY KAPLUN & MARCIN, LLP<br>150 BROADWAY, SUITE 702<br>NEW YORK, NY 10038 |             |                      | EXAMINER<br>SONG, HOSUK |                        |
|  |             |                      | ART UNIT<br>2135        | PAPER NUMBER           |
|  |             |                      | MAIL DATE<br>05/02/2007 | DELIVERY MODE<br>PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

09/588,109

Applicant(s)

LUNGARO ET AL.

Examiner

HOSUK SONG

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 2-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 09588109.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 2,6-17,19-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Yokomoto et al.(WO 98/12615).

Claims 15,19: Yokomoto disclose a pad for entering the identifier in (page 3, lines 8-12). Yokomoto disclose a circuit, adjacent the pad, for encrypting the entered identifier in (fig.2 and page 3,lines 16-17). Yokomoto disclose a link, communicatively coupling the pad and the encryption circuit and a housing enclosing the encryption circuit and the link in (fig.2 and page 7, lines 20-25). Yokomoto disclose chip-on-glass technology in (page 4, lines 28-29 and page 5,lines 1-5).

Claim 16: Yokomoto disclose encrypting circuit is embedded in the housing in (page 3,lines 16-17).

Claim 17: Yokomoto disclose link and the encrypting circuit are embedded in the housing in (fig.2 and page 8,lines 4-15).

Claim 20: Yokomoto disclose forwarding the identifier for verification in(page 11,lines 10-18).

Claim 2: Yokomoto disclose a touch pad in (page 3,lines 8-10).

Claims 6-7: Yokomoto disclose a pad for entering a PIN in (page 3,lines page 3,lines 8-10 ).

Claim 8: Yokomoto disclose a CPU and a memory coupled to the CPU and programmed to encrypt in(page 8,lines 4-21).

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Claim 9: Yokomoto disclose CPU and programmed memory are the first CPU, programmable to encrypt the entered identifier, through which the identifier passes in (page 8,lines 4-21).

Claim 10: Yokomoto disclose a microcontroller programmed to encrypt in (fig.2 and page 7,lines 15-25).

Claims 11-14: Yokomoto disclose tamper resistant housing in (page 4,lines 13-15).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-5,18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yokomoto et al(WO 98/12615) in view of De Jesus(EP 0809171).

Claims 3-5: Yokomoto does not specifically disclose n-wire technology. De Jesus discloses this limitation in (col.4,lines 48-58;col.5,lines 1-3). It would have been obvious to person of ordinary skill in the art at the time invention was made to employ n-wire technology as taught in De Jesus with system of Yokomoto because n-wire technology touch pad offers extremely high resolution,accuracy and positioning speed using n-wire technology. Further as additional wires are employed (such that n=4 through 7) in touch pad, it provides reliable lifespan, noise reduction and high expandability for future use.

Claim 18: Yokomoto disclose a pad for entering the identifier in (page 3, lines 8-12). Yokomoto disclose a circuit, adjacent the pad, for encrypting the entered identifier in (fig.2 and page 3,lines 16-17). Yokomoto disclose a link, communicatively coupling the pad and the encryption circuit and a housing enclosing the encryption circuit and the link in (fig.2 and page 7, lines 20-25). Yokomoto disclose chip-

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on-glass technology in (page 4, lines 28-29 and page 5, lines 1-5). Yokomoto does not specifically disclose n-wire technology. De Jesus discloses this limitation in (col.4, lines 48-58; col.5, lines 1-3). It would have been obvious to person of ordinary skill in the art at the time invention was made to employ n-wire technology as taught in De Jesus with system of Yokomoto because n-wire technology touch pad offers extremely high resolution, accuracy and positioning speed using n-wire technology. Further as additional wires are employed (such that  $n=4$  through 7) in touch pad, it provides reliable lifespan, noise reduction and high expandability for future use.

### ***Response to Applicant's Arguments***

The previous grounds of rejection based on the Bilger, Coli and Tsuji patents are withdrawn. However, applicant's submission of an IDS prompted new grounds of rejection. The new grounds of rejection are presented above.

### ***Conclusion***

Applicant's submission of an information disclosure statement under 37 CFR 1.97(c) with the fee set forth in 37 CFR 1.17(p) on 5/10/04 prompted the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 609.04(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

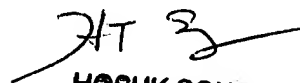
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***USPTO Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HOSUK SONG whose telephone number is 5712723857. The examiner can normally be reached on mon-fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KIM VU can be reached on 5712723859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
**HOSUK SONG**  
**PRIMARY EXAMINER**